

THE HONORABLE LAUREN KING

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NINTENDO OF AMERICA INC., a Washington  
Corporation,

Plaintiff,

v.

JAMES C. WILLIAMS a//k/a ARCHBOX, an  
individual,

Defendant.

No. 24-00960

**DECLARATION OF COUNSEL IN  
SUPPORT OF PLAINTIFF'S REQUEST  
FOR ENTRY OF DEFAULT**

I, Mark P. Walters, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following facts are true and correct to the best of my information and belief.

1. I am an attorney representing the Plaintiff, I have personal knowledge of the matters stated herein, and this declaration is given in support of Plaintiff's Request for Clerk to Enter Default against Defendant James C. Williams a/k/a Archbox ("Defendant").

2. Upon information and belief, Defendant is not a minor or incompetent person.

3. Upon information and belief, Defendant is not currently in the military service of the United States.

4. After the summons was issued in this case, we provided it, along with the Complaint, to a licensed process server with instructions to personally serve Defendant at his last known residence. The Defendant was duly served pursuant to Fed. R. Civ. P. 4(e)(2)(B) at that

1 residence as indicated in the Affidavit of Service, Dkt. No. 9, a true and correct copy of which is  
2 attached hereto as **Exhibit A**.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
4 AND CORRECT.  
5

6 DATED this 18<sup>th</sup> day of October 2024.

7 LOWE GRAHAM JONES PLLC

8  
9 By: /s/ Mark P. Walters  
Mark P. Walters, WSBA No. 30819  
10 [walters@lowegrahamjones.com](mailto:walters@lowegrahamjones.com)  
1325 Fourth Avenue, Suite 1130  
11 Seattle, WA 98101  
Telephone: (206) 381-3300  
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# EXHIBIT A

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. **2:24-CV-00960-LK**

**PROOF OF SERVICE**

***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))***

This summons for **James C. Williams a/k.a ARCHBOX**  
was recieved by me on **8/12/2024**:

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☒ I left the summons at the individual's residence or usual place of abode with **Jane Doe**, a person of suitable age and discretion who resides at **17557 West Villa Chula Lane, Surprise, AZ 85387**, on **08/13/2024 at 5:24 PM**, and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)*; or
- ☐ I returned the summons unexecuted because ; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and **\$ 180.00** for services, for a total of **\$ 180.00**.

I declare under penalty of perjury that this information is true.

Date: 08/13/2024



Server's signature

**George Elkins**

Printed name and title

**1320 South Joshua Avenue  
Parker, AZ 85344**

Server's address

Additional information regarding attempted service, etc:

I delivered the documents to an individual who refused to give their name who identified themselves as the co-resident. The individual accepted service with direct delivery. The individual appeared to be a brown-haired black female contact 25-35 years of age, 5'6"-5'8" tall and weighing 140-160 lbs. Sooke to a very helpful female resident who confirmed identity and residency of defendant. She stated she was planning to move out soon but confirmed living with him. Subject and female ordered DoorDash and I followed the delivery up to the door and spoke with female resident. She indicated she would accept documents and give them to defendant. She was quite helpful and cooperative.



Tracking #: 0140363800

